

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 24-62232-CIV-DAMIAN/Valle**

BRETMICHAEL HOOD, individually and on  
behalf of all others similarly situated,

*Plaintiff,*

v.

THE LAMPO GROUP, LLC D/B/A RAMSEY  
SOLUTIONS,

*Defendant.*

\_\_\_\_\_ /

**JOINT DISCOVERY PLAN AND SCHEDULING REPORT**

Plaintiff Bretmichael Hood (“Plaintiff”) and Defendant THE LAMPO GROUP, LLC d/b/a RAMSEY SOLUTIONS (“Defendant”), pursuant to Fed. R. Civ. P. 26(f) and S.D. Fla. L.R. 16.1(b) and the Court’s order requiring a scheduling report [ECF No. 10], submit this Discovery Plan and Conference Report following their Zoom videoconference meeting on February 4, 2025. The meeting was attended by Christopher Berman and Garrett Berg, of Shamis & Gentile, P.A. for Plaintiff, and Clay M. Carlton of Morgan, Lewis & Bockius LLP for Defendant.

**REPORT FOR S.D. FLA. L.R. 16.1 (B)(2)(A)–(L)**

**(A) The likelihood of settlement:**

Pursuant to the Court’s Order, the Parties had an initial discussion regarding resolution of this matter and will continue to explore settlement in good faith as warranted.

**(B) Likelihood of appearance in this action of additional Parties:**

At this time, the Parties do not believe that additional parties will appear in this action.

**(C) Proposed time limits:**

The Parties propose that this case be assigned to the standard case management track. The Parties respectfully request that this Court enter an Order Setting Trial and Pre-Trial Schedule, Requiring Mediation, and Referring Certain Matters to Magistrate Judge attached as Exhibit A.

**(D) Proposals for the formulation and simplification of issues, including the elimination of frivolous claims or defenses, and the number and timing of motions for summary judgment or partial summary judgment:**

The Parties agree to work diligently to simplify the issues as the case progresses.

**(E) Necessity or desirability of amendments to the pleadings:**

The Parties do not anticipate any amendments to the pleadings at this time but reserve their right to do so in accordance with the Federal Rules of Civil Procedure as well as the Rules of this Court.

**(F) Possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, stipulations regarding authenticity of documents, and the need for advance rulings from the Court on admissibility of evidence:**

The Parties will in good faith attempt to obtain: (1) admissions of facts and of documents, which will avoid unnecessary proof; and (2) stipulations regarding the authenticity of documents. The Parties will seek advance rulings from the Court on the admissibility of evidence as necessary.

**(G) Suggestions for the avoidance of unnecessary proof and cumulative evidence:**

The Parties will work together in good faith to enter into stipulations to avoid unnecessary proof and cumulative evidence.

**(H) Referring matters to a Magistrate Judge:**

The Parties do not consent to referral of dispositive motions to a Magistrate Judge, nor do the Parties consent to have this case proceed before a Magistrate Judge for trial. The Parties do consent to refer, for final rulings that may not be appealed to the District Court,<sup>1</sup> all motions that are unopposed, agreed, or jointly filed.

**(I) Preliminary estimate of the time required for trial:**

The Parties estimate that that approximately 4-5 days will be required for trial.

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<sup>1</sup> Plaintiff and Defendant are not, however, waiving any applicable rights to challenge any final rulings entered by a Magistrate Judge on appeal to the Eleventh Circuit.

**(J) Requested date or dates for conferences before trial, a final pretrial conference, and trial:**

*See Exhibit A.*

**(K) Any issue about:**

**(i) disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced;**

Any ESI shall be produced in PDF and/or native format. The Parties have also agreed to preserve the electronically stored information including but not limited to Defendant's inbound and outbound text logs for the past (4) years, consistent with the TCPA's four year statute of limitation (which are in Defendant's possession, custody or control as well as the possession, custody or control of Defendant's SMS vendor, Five9, Inc.).

**(ii) claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert those claims after production -- whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502; and**

None at this time.

**(iii) when the parties have agreed to use the ESI Checklist available on the Court's website ([www.flsd.uscourts.gov](http://www.flsd.uscourts.gov)), matters enumerated on the ESI Checklist.**

The Parties have not agreed to use the ESI Checklist but reserve the right to do so.

**(L) Any other information that might be helpful to the Court.**

At this time, the Parties do not have any additional information for the Court.

**Dated: February 10, 2025**

By: s/ Christopher E. Berman

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**EXHIBIT A**

**UNITED STATES DISTRICT COURT  
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\_\_\_\_\_ /

**[PROPOSED] SCHEDULING ORDER**

THIS MATTER is before the Court pursuant to the Parties' Joint Scheduling Report  
[ECF No. \_\_\_\_].

This Court, having reviewed the Parties' Joint Scheduling Report, hereby ORDERS and  
ADJUDGES as follows:

1. This case is assigned to the Standard Track pursuant to Rule 16.1(a)(2)(B) S.D. Fla. L.R.
2. The following deadlines shall apply:

EVENT	DEADLINE
Amendment of Pleadings	April 15, 2025
Joinder of Parties	April 15, 2025
Mediator Selection	March 14, 2025
Complete Mediation	September 2, 2025
Disclose Initial Expert Witnesses	November 14, 2025
Disclose Rebuttal Expert Witnesses	December 12, 2025
Complete Discovery	November 10, 2025
File Motion for Class Certification	November 10, 2025

File Response in Opposition to Motion for Class Certification	December 10, 2025
File Reply in Support of Motion for class Certification	January 2, 2026
Last Day to File Other Motions (including dispositive motions, <i>Daubert</i> motions, motions <i>in limine</i> , and all other pre-trial motions)	May 14, 2026
Pre-Trial Conference	July 13, 2026
Trial	August 10, 2026

DONE AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2025 in Fort Lauderdale, Florida.

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**MELISSA DAMIAN**  
**UNITED STATES DISTRICT JUDGE**

cc: All counsel of record